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BY ECF

Hon. Zahid N. Quraishi, U.S.D.J.
United States District Court
for the District of New Jersey
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street
Trenton, New Jersey 08608

Re: *Children's Health Defense, Inc., et al. v. Rutgers, The State University of New Jersey, et al.*,
No. 3:21-cv-15333

Dear Judge Quraishi:

On behalf of Rutgers, the State University of New Jersey ("Rutgers"), as supplemental authority in support of Rutgers' Motion to Dismiss Plaintiffs' First Amended Complaint (Dkt. No. 39), I respectfully submit the attached published opinion of the Superior Court of New Jersey, Appellate Division, in *New Jersey State Policemen's Benevolent Ass'n v. Murphy*, Nos. 1525-21 & 1548-21 (Slip Op. Feb. 11, 2022). The Appellate Division upheld, against constitutional and other facial challenges, the Governor of New Jersey's Executive Order No. 283, which mandated that all state corrections officers must present proof of being fully vaccinated against COVID-19 in order to retain their positions. The portions of the opinion most relevant to Rutgers' arguments are on the following pages of the slip opinion: 17-18 (discussing *Jacobson v. Massachusetts*), and 25-28 (discussing the rational basis for vaccination mandates and rejecting the plaintiffs' constitutional arguments against imposition of the mandate).

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jeff Jacobson".

Jeffrey S. Jacobson

Attachment

cc: All counsel of record (by ECF)